

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

INVISIBLE FENCE, INC.,)
)
Plaintiff,)
)
v.) No.: 3:09-CV-251
) (VARLAN/GUYTON)
MARTIN NEOSEL, an individual)
d/b/a ACORN MARKETING, INC.,)
d/b/a ACORN PETCO, and)
ACORN MARKETING, INC.,)
d/b/a ACORN PETCO,)
)
Defendants.)

ORDER

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge H. Bruce Guyton on February 5, 2013 [Doc. 32]. In the R&R, Magistrate Judge Guyton recommends granting plaintiff’s request for attorney fees and monetary sanctions and denying plaintiff’s request to transfer the acornpetco.com domain name. More specifically, the magistrate judge recommends that defendants be fined \$100,000 for failure to comply with the Court’s default judgment order and that plaintiff be awarded \$8,934.40 in reasonable expenses from defendants in connection with its motion to show cause and for sanctions. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 32] and **GRANTS** plaintiff's request for attorney fees and monetary sanctions and **DENIES** plaintiff's request to transfer the acornpetco.com domain name. Defendants are hereby **FINED** \$100,000 for failure to comply with the Court's default judgment order and plaintiff is **AWARDED** \$8,934.40 in reasonable expenses from defendants in connection with its motion to show cause and for sanctions. The Clerk is **DIRECTED** to mail a copy of this order, via certified mail, to defendants at the address provided by plaintiff: Martin Neosel, Acorn Marketing, Inc., 47-09 188th Street, Queens, New York 11358.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE